

Entered on Docket

October 11, 2007

GLORIA L. FRANKLIN, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA



Signed: October 11, 2007

EDWARD D. JELLEN  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re Case No. 07-41865

NEW WORD OF FAITH CHURCH, CORP., Chapter 11

Debtor. /

MEMORANDUM

On September 27, 2007, this court ordered the above case dismissed effective October 9, 2007. The debtor filed this case June 18, 2007, some three and one-half months ago, to stop a scheduled foreclosure sale by means of the automatic stay provided by Bankruptcy Code § 362(a). After the filing, however, the debtor, as a practical matter, abandoned practically all of its duties, and its principal who signed the petition, Nathaniel Brown, left town without being available to discharge any of his responsibilities under the Bankruptcy Code.

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Memorandum

Now, the debtor asks the court, ex parte without service of any papers on any parties in interest,<sup>1</sup> on the eve of the foreclosure sale,<sup>2</sup> to defer the dismissal for 45 days to permit the debtor to file a motion for reconsideration of the dismissal. The debtor makes this request so that it can effect a sale of the subject property to a Benyam Mulugeta, who the debtor claims holds a \$265,000 second deed of trust on the property but whom the debtor did not schedule as a lienholder in Schedule D (Creditors Holding Secured Claims). The sale is to occur for a purchase price of \$1.2 million under terms that are not disclosed, pursuant to an alleged contract that is not described (or supplied) in the debtor's moving papers, for an amount that is approximately \$900,000 less than the value the debtor scheduled and \$300,000 less than the amount the debtor now claims, without supporting documentation, is the "appraised value."

The rudimentary schedules the debtor has filed list two secured claimants, neither of which is Mr. Mulugeta, each owed "0.00, secured by property worth 0.00." The debtor does not have official counsel of record appointed by the court as required by Bankruptcy Code § 327(a). The debtor has filed no operating reports as required by the court's Local Bankruptcy Rule 2015-2 and has paid no U.S. Trustee's fees.

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<sup>1</sup>E-mail notice was sent to the foreclosing lender.

<sup>2</sup>The debtor filed the motion Friday evening, October 5, 2007. The following three days were Saturday, Sunday, and Monday, an official court holiday.

1           Under the circumstances, the court declines to grant the  
2 motion.

3                         \* \* END OF ORDER \* \*

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